

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

NANCY ROMINE MINKLER,  
individually and on behalf of all others  
similarly situated,

CASE NO. 5:13-cv-05332 EJD

**ORDER DISMISSING CASE**

Plaintiff(s),

v.

APPLE, INC.,

Defendant(s).

On August 20, 2014, the court granted Defendant's Motion to Dismiss with leave to amend, and subsequently ordered Plaintiff to file an amended complaint on or before September 19, 2014. See Docket Item Nos. 36, 37. As of this date, Plaintiff has not filed an amended complaint or otherwise indicated a reason for not doing so. Accordingly, this case is DISMISSED WITH PREJUDICE for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b). Judgment will be entered in favor of Defendant and the Clerk shall close this file.

**IT IS SO ORDERED.**

Dated: September 23, 2014

  
EDWARD J. DAVILA  
United States District Judge